

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JOSEPH GRECO, JULES BRODSKY, TODD
J. CHRISTENSON, WILLIAM DICKIE, et al.,

Plaintiffs,

vs.

JERRAL "JERRY" WAYNE JONES,
NATIONAL FOOTBALL LEAGUE, DALLAS
COWBOYS FOOTBALL CLUB, LTD., JWJ
CORPORATION, COWBOYS STADIUM,
L.P., COWBOYS STADIUM GP, LLC, and
BLUE & SILVER, INC.,

Defendants.

Civil Action No. 3:13-CV-1005

**APPENDIX IN SUPPORT OF PLAINTIFFS' MOTION TO STAY PROCEEDINGS
IN GRECO MATTER PENDING RESOLUTION OF APPEAL IN IBE CASE**

The following evidence is submitted as an Appendix to Plaintiffs' Motion to Stay Proceedings in the Greco Matter Pending Resolution of the Appeal in the Ibe Case:

<u>EXHIBIT NO.</u>	<u>DESCRIPTION</u>	<u>PAGES</u>
A	Declaration of Michael J. Avenatti in Support of Plaintiffs' Motion to Stay Proceedings in the <u>Greco</u> Matter Pending Resolution of the Appeal in the <u>Ibe</u> Case	3-5
1	Mar. 25, 2015 Notice of Appeal in <u>Ibe, et al. v. NFL</u>	6-12

DATED: April 13, 2015

s/ Michael J. Avenatti

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s/ Christopher S. Ayres

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Exhibit 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOSEPH GRECO, JULES BRODSKY, TODD
J. CHRISTENSON, WILLIAM DICKIE, et al.,

Plaintiffs,

vs.

JERRAL "JERRY" WAYNE JONES,
NATIONAL FOOTBALL LEAGUE,
DALLAS COWBOYS FOOTBALL CLUB,
LTD., JWJ CORPORATION, COWBOYS
STADIUM, L.P., COWBOYS STADIUM GP,
LLC, and BLUE & SILVER, INC.,

Defendants.

Civil Action No. 3:13-CV-1005

**DECLARATION OF MICHAEL J. AVENATTI IN SUPPORT OF PLAINTIFFS'
PLAINTIFFS' MOTION TO STAY PROCEEDINGS
IN GRECO MATTER PENDING RESOLUTION OF APPEAL IN IBE CASE**

I, Michael J. Avenatti, declare as follows:

1. I am an attorney at Eagan Avenatti, LLP and counsel of record for Plaintiffs Joseph Greco, Jules Brodsky, Todd J. Christenson, William Dickie, et al. (collectively, "Plaintiffs") in this action. I submit this declaration in support of Plaintiffs' Motion to Stay Proceedings in the Greco Matter Pending Resolution of the Appeal in the Ibe Case.

2. Attached hereto as **Exhibit 1** is a true and correct copy of Plaintiffs' Mar. 25, 2015 Notice of Appeal in Ibe, et al. v. NFL.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 13th day of April, 2015, in Newport Beach, California.

/s/ Michael J. Avenatti
MICHAEL J. AVENATTI

Exhibit A

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

BRUCE IBE, JASON MCLEAR, ROBERT
FORTUNE, DEAN HOFFMAN, KEN LAFFIN,
DAVID WANTA, and REBECCA BURGWIN,

Plaintiffs,

vs.

NATIONAL FOOTBALL LEAGUE,

Defendant.

Civil Action No. 3:11-CV-00248 M

NOTICE OF APPEAL

Case 3:11-cv-00248-M Document 458 Filed 03/25/15 Page 2 of 4 PageID 15815

Notice is hereby given that Plaintiffs Bruce Ibe, Ken Laffin, David Wanta, Robert Fortune, Dean Hoffman, Jason McLearn, and Rebecca Burgwin hereby appeal in the above-named case to the United States Court of Appeals for the Fifth Circuit from (1) the Judgment (entered March 25, 2015; docket entry ("D.E.") 456), (2) the Orders on Plaintiffs' Motion for Case Management Order Restricting Defendants from Engaging in Improper Communications With Unnamed Class Members (entered March 1, 2011; D.E. 33, *see also* D.E. 29, 34), (3) the Memorandum Opinion and Order on Defendants' Motion to Dismiss Consolidated Complaint and Plaintiffs' Motion to Strike (entered November 30, 2011; D.E. 66), (4) the Memorandum Opinion and Order on the National Football League's Motion to Dismiss All Tort Claims in Plaintiffs' Consolidated First Amended Complaint and the Cowboys Defendants' Motion to Dismiss (entered July 19, 2012; D.E. 89), (5) the Order Granting Third-Party Charlotte Jones Anderson's Emergency Motion to Quash and for Protective Order and Granting Third-Party Brett Daniel's Emergency Motion to Quash and for Protective Order (entered February 19, 2013; D.E. 175), (6) the Memorandum Opinion and Order on Plaintiffs' Motion for Class Certification (entered July 9, 2013; D.E. 269), (7) the Memorandum Opinion and Order on Defendant National Football League's Motion for Partial Summary Judgment and Motion for Partial Dismissal for Lack of Subject Matter Jurisdiction (entered September 30, 2014; D.E. 325), (8) the Order on Non-Party Stephen Jones' Motion to Quash and for Protective Order (entered March 5, 2015; D.E. 430); (9) the Court's Charge to the Jury (entered March 11 or 12, 2015; D.E. 446), and (10) the Court's Order on Defendant National Football League's Motion for Judgment as a Matter of Law Pursuant to Federal Rule of Civil Procedure 50(a) (entered orally on the record on March 10, 2015).

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Dated: March 25, 2015

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this filed pleading is being served upon all counsel of record through the Court's ECF delivery system, as provided by the Local Rules at or shortly after the time and date of filing.

DATED: March 25, 2015

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U.S. District Court

Northern District of Texas

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Case Name: Simms v. Jones et al

Case Number: [3:11-cv-00248-M](#)

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Docket Text:

USCA Case Number 15-10242 for [458] Notice of Appeal, filed by David Wanta, Bruce Ibe, Jason McLear, Dean Hoffman, Rebecca Burgwin, Robert Fortune, Ken Laffin. (svc)

3:11-cv-00248-M Notice has been electronically mailed to:

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this filed pleading is being served upon all counsel of record through the Court's ECF delivery system, as provided by the Local Rules at or shortly after the time and date of filing.

DATED: April 13, 2015

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